

Before the
Federal Communications Commission
Washington, DC

In the Matter of)
)
Amendment of Section 202(b),)
Table of Allotments,) RM-
FM Broadcast Stations)
(Hali'imaile, Hawaii))

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MAR 29 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

RC Broadcasting, Inc. ("RC"), permittee of Station KPMW, Hali'imaile, Hawaii, by its attorney, hereby requests that the Commission amend the Table of Allotments as follows:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
Hali'imaile, Hawaii	288A	288C

In support thereof, the following is stated:

RC is the permittee of Station KPMW, Channel 288A, Hali'imaile, Hawaii. This Hali'imaile, Hawaii assignment can be upgraded to Channel 288C in full accord with the Commission's spacing rules. Attached hereto is a spacing study which demonstrates that Channel 288C can be substituted for Channel 288A at 20° 49' 24" N, 156° 27' 27" W (an existing transmitter site for which RC soon will be seeking a minor modification), which will prevent any shortspacing from occurring with any currently authorized or proposed full-power facility.¹ Permission for use of that site already has been obtained.

¹ As seen on the attached spacing study, the only facility with which the proposed allotment is "short-spaced" is K288CS, an FM translator station which, under the Commission's rules, is afforded only secondary status.

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Adoption of this proposal will be in the public interest. Approval of this proposal will allow RC to improve the service that it will provide to the public by increasing its service to the Hawaii population.

Accordingly, RC respectfully requests that the Commission amend the FM Table of Allotments to substitute Channel 288C for Channel 288A pursuant to Section 1.420(g) of the Commission's Rules, and modify RC's construction permit to permit operation on Channel 288C in lieu of Channel 288A. Insofar as RC is proposing to upgrade an allotment on the co-channel on which it is authorized to operate, it is not appropriate that the Commission accept any competing expressions of interest for the allotment that may be filed by any outside party.

WHEREFORE, it is respectfully requested that this Petition be adopted, and the Commission request comment on the proposal contained herein.

Respectfully submitted,

RC BROADCASTING, INC.

By: 

Dan J. Alpert

Its Attorney

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March 29, 1993

Hall & Associates
Honolulu, Hawaii

Page 1
March 29, 1993

FM Spacing study

Title: MAUI FM C
Channel 288C (105.5 MHz)
Database: DW 03/25/93

Latitude: 20-49-24
Longitude: 156-27-27
Safety zone: 135 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
KUMU-FM LIC	JOHN HUTTON CORPORATION	234C1	100	21-17-09	290.0	152.4	41	
HONOLULU	HI BLH-820326AI	94.7	24	157-50-19	109.5	111.4	CLEAR	
Affiliated with KUMU(AM)								
KSAN-FM LIC	MALRITE OF OHIO INCORPOR	235B	30	37-41-22	52.6	3799	35	
SAN FRANCISCO	CA	94.9	369	122-26-10	249.8	3764	CLEAR	
Affiliated with KNEW(AM)								
NEW-T APC	POWER DU PREE BROADCASTI	285FT	.01DA	37-06-02	53.8	3801	95	
SANTA CRUZ	CA BPFT-870331YD	104.9		122-08-24	250.9	3706	CLEAR	
Cut-off 10/20/87; Translator for KZST, SANTA ROSA, CA								
KINE-FM LIC	RLS RADIO, INC.	286C	100	21-23-51	290.8	182.1	105	
HONOLULU	HI BMLH-910129KB	105.1	599	158-06-01	110.2	77.13	CLEAR	
License Granted 10/23/91 per FCC release #21240 dated 10/31/91; Was KHFX 02/12/92 per FCC release #176 dated 02/14/92; Ant: Shiveley 6014-14/1								
KINE-FM APP	RLS RADIO, INC.	286C	100DA	21-23-51	290.8	182.1	105	
HONOLULU	HI BPH-921112IK	105.1	599	158-06-01	110.2	77.13	CLEAR	
Received per FCC release #15410 dated 12/04/92, accepted per 15414 dated 12/09/92; Was KHFX 02/12/92 per FCC release #176 dated 02/14/92								
KITS LIC	ENTERTAINMENT COMM, INC.	287B	15	37-41-20	52.6	3799	217	
SAN FRANCISCO	CA	105.3	366	122-26-07	249.8	3582	CLEAR	
KPMW CP	REY-CEL BROADCASTING, LP	288A	6	20-42-32	141.2	16.29	226	
HALI'IMAILE	HI BMPH-910827IG	105.5	90	156-21-33	321.2	-210	SHORT	
CP Granted 12/16/91 per FCC release #21279 dated 12/19/91; Was KWYA 02/02/93 per FCC release #198 dated 02/12/93								
K288CS LIC	MOUNT WILSON FM BROADCASTS	288FT	.01	19-42-56	155.3	135.0	226	
KAWAIHAE	HI BLFT-861125TA	105.5		155-55-00	335.5	-91.0	SHORT	
Translator for KRTR, KAILUA, HI								
KARA LIC	EMPIRE BROADCASTING CORP	289B	50	37-21-32	53.5	3843	217	
SANTA CLARA	CA	105.7	152	121-45-22	251.0	3626	CLEAR	
Affiliated with KLIV(AM)								
NEW CP	KASA MOKU KA PAWA BCG, I	290C	100	21-23-50	290.8	182.3	105	
HONOLULU	HI BPH-870910MZ	105.9	600BT	158-06-06	110.2	77.26	CLEAR	
CP Granted 08/07/92 per FCC release dated 08/21/92; Hearing DOC-90-84, adopted 02/16/90, released 03/26/90								
KLEO LIC	SHAKA BROADCASTING, L.P.	291A	6	19-37-11	158.1	143.7	95	
KAHALUU	HI BLH-921026KC	106.1	-75	155-56-36	338.2	48.67	CLEAR	
License Granted 03/05/93 per FCC release #21587 dated 03/11/93; Call Granted 03/08/91 per FCC release #153 dated 03/08/91; Ant: Jampro JBCP-3								

>> End of channel 288C study <<

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Page 2
March 29, 1993

FM Spacing study

Title: MAUI FM C
Channel 288C (105.5 MHz)
Database: FCC 02/23/93

Latitude: 20-49-24
Longitude: 156-27-27
Safety zone: 135 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
ALLOC			234C1		21-17-09	290.0	152.4	41
Honolulu	HI		94.7		157-50-19	109.5	111.4	CLEAR
Coordinates updated from LIC record			BLH820326AI					
KUMU-FM LIC	John Hutton Corporation		234C1	100	21-17-09	290.0	152.4	41
Honolulu	HI	BLH-820326AI	94.7	24	157-50-19	109.5	111.4	CLEAR
ALLOC			235B		37-41-22	52.6	3799	35
San Francisco	CA		94.9		122-26-10	249.8	3764	CLEAR
Coordinates updated from LIC record			BLH7071					
NEW-T APC	Power Du Free Broadcasti		285FT	.01DA	37-06-02	53.8	3801	95
Santa Cruz	CA	BPFT-870331YD	104.9		122-08-24	250.9	3706	CLEAR
Cut-off 10/20/87; TRANSLATOR FOR KZST, SANTA ROSA, CA.								
ALLOC			286C		21-18-48	290.7	155.8	105
Honolulu	HI	DOC-83-1144	105.1		157-51-48	110.2	50.85	CLEAR
EFFECTIVE 8-6-84								
KINE-FM APC	RLS Radio, Inc.		286C	100DA	21-23-51	290.8	182.1	105
Honolulu	HI	BPH-921112IK	105.1	599	158-06-01	110.2	77.13	CLEAR
NO TABULATIONS SUBMITTED DA: oddball ODD921112IK @ 0 deg								
KINE-FM LIC	RLS Radio, Inc.		286C	100DA	21-23-51	290.8	182.1	105
Honolulu	HI	BLH-881027KA	105.1	599	158-06-01	110.2	77.13	CLEAR
DA: oddball ODD881027KA @ 0 deg								
ALLOC			287B		37-41-20	52.6	3799	217
San Francisco	CA		105.3		122-26-07	249.8	3582	CLEAR
Coordinates updated from LIC record			BLH6240					
ALLOC			288A		20-52-16	65.8	12.95	226
Haliimaile	HI	DOC-88-322	105.5		156-20-38	245.8	-213	SHORT
Filing window 04/03-05/03/89 **CLOSED** ; Effective 3-31-89								
KWYA CP	Rey-Cel Broadcasting, Li		288A	6	20-42-32	141.2	16.29	226
Haliimaile	HI	BMPH-910827IG	105.5	90	156-21-33	321.2	-210	SHORT
K288CS LIC	Mount Wilson FM B/Cters,		288FT	.01	19-42-56	155.3	135.0	226
Kawaihae	HI	BLFT-880719TF	105.5		155-55-00	335.5	-91.0	SHORT
TRANSLATOR FOR KRTR, KAILUA, HI.								
KARA LIC	Santa Clara Broadcasters		289B	50	37-21-32	53.5	3843	217
Santa Clara	CA	BLH-4526	105.7	152	121-45-22	251.0	3626	CLEAR
NEW APC	Radio Representatives, I		290C	79DA	21-19-49	292.9	146.2	105
Honolulu	HI	BPH-870910MD	105.9	665	157-45-25	112.5	41.24	CLEAR
DOC-90-84; Cut-off 01/30/89; Initial Decision to Deny; Initial Decision 920403								
-Decision affirmed by the Review Board 920821 DA: oddball ODD870910MD @ 0 deg								

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Page 3
March 29, 1993

FM Spacing study

Title: MAUI FM C
Channel 288C (105.5 MHz)

Latitude: 20-49-24
Longitude: 156-27-27

Call	Auth Licensee name	Chan ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St FCC File no.	Freq EAH-m	Longitude	-from	(km)	(km)
ALLOC		290C	21-18-48	290.7	155.8	105
Honolulu	HI DOC-84-231	105.9	157-51-48	110.2	50.85	CLEAR
Filing window 07/31-09/10/87 **CLOSED** ; # 30						

NEW	APC Kasa Moku Ka Pawa Broadc	290C	100	21-23-50	290.8	182.3	105
Honolulu	HI BPH-870910MZ	105.9	600BT158-06-06	110.2	77.26	CLEAR	
DOC-90-84; Cut-off 01/30/89; Initial Decision to Grant; Initial Decision 92040							
3-Decision affirmed by the Review Board 920821							

KLEO	CP Brewer Broadcasting Corp	291A	6	19-37-11	158.1	143.7	95
Kahaluu	HI BMPH-920507II	106.1	-75	155-56-36	338.2	48.67	CLEAR

ALLOC		291A		19-35-00	159.6	146.4	95
Kahaluu	HI DOC-88-314	106.1		155-58-09	339.8	51.45	CLEAR
Filing window 04/04-05/04/89 **CLOSED** ; Effective 4-3-89							

>> End of channel 288C study <<